UNITED
NATIONS

A S

General Assembly
Security Council

Distr.
GENERAL

A/53/968
S/1999/587
20 May 1999

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fifty-third session
Agenda items 39, 40 and 84
QUESTION OF PALESTINE
THE SITUATION IN THE MIDDLE EAST
REPORT OF THE SPECIAL COMMITTEE TO INVESTIGATE ISRAELI PRACTICES AFFECTING THE HUMAN RIGHTS OF THE PALESTINIAN PEOPLE AND OTHER ARABS OF THE OCCUPIED TERRITORIES

SECURITY COUNCIL
Fifty-fourth year

Letter dated 20 May 1999 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General

Reverting to illegal policies and practices, this week, Israel, the occupying Power, resumed colonial settlement activities in and around Occupied East Jerusalem in violation of international law, the Fourth Geneva Convention of 1949 and Security Council and General Assembly resolutions. Specifically, the Israeli side began actual construction at Jabal Abu Ghneim, to the south of East Jerusalem, on Sunday, 16 May, and at Ras al-Amud, an Arab neighbourhood within the original boundaries of the municipality of East Jerusalem, on Tuesday, 18 May.

For more than three decades, Israel, the occupying Power, has pursued such illegal measures and activities with the clear intention of increasing Jewish settlement in the city and thereby illegally altering the demographic composition, geographical nature and character of the city. Recent actions in this regard have been overtly designed to alter the facts on the ground and impose a fait accompli with regard to the status of Jerusalem prior to the negotiation of a final settlement in the peace process. Taking advantage of intentional delays and the stalemate in the peace process, the current Israeli Government has decided to proceed with the construction of the two above-mentioned settlements in total contempt of international law and the unequivocal position of the international community in this regard.

The crisis regarding the illegal settlement at Jabal Abu Ghneim was first brought before the Security Council in a letter dated 28 April 1995 (A/50/168-S/1996/341) concerning the Israeli Government's decision to confiscate 53 hectares of Palestinian land within the area of illegally expanded and annexed East Jerusalem. The Security Council convened in May 1995 to consider this critical situation. That meeting resulted in the veto of a draft resolution by a permanent member. At a later stage, in July 1995, the Israeli Government decided not to proceed with construction. However, construction attempts were revived again in 1997 under Mr. Netanyahu's administration.

The Chairman of the Group of Arab States brought the issue to the attention of the Security Council in a letter dated 25 February 1997 (A/51/808-S/1997/157). On 5 March 1997, the Council convened to address this serious matter, which was followed by the resumption of the fifty-first session of the General Assembly on 12 and 13 March 1997 and the convening of another Council meeting on 21 March 1997. Although the Assembly overwhelmingly adopted a resolution condemning Israel's illegal actions (resolution 51/223), the Council failed to carry out its responsibilities in response to this crisis owing to two consecutive vetoes by a permanent member. In the interim between the two Council meetings, Palestine submitted two letters, on 17 March 1997 (A/51/834-S/1997/228) and 18 March 1997 (A/51/837-S/1997/233), calling upon the Council to undertake measures to bring about the full and immediate cessation of illegal Israeli settlement activities in the Occupied Palestinian Territory, including Jerusalem.

Moreover, the crisis at Jabal Abu Ghneim led to the convening by the General Assembly, for the first time in 15 years, of an emergency special session ("Uniting for Peace"). The tenth emergency special session was convened on 24 April 1997 to consider "illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory". The session, which was resumed four times following that initial meeting, overwhelmingly adopted five strong resolutions (ES-10/2 of 25 April 1997, ES-10/3 of 15 July 1997, ES-10/4 of 13 November 1997, ES-10/5 of 17 March 1998 and ES-10/6 of 9 February 1999) condemning Israel's construction at Jabal Abu Ghneim and all other illegal Israeli actions in the occupied territories and reaffirming the applicability of the Fourth Geneva Convention of 1949 to the Occupied Palestinian Territory, including Jerusalem. Further, the resolutions reaffirmed that all legislative and administrative measures and actions taken by Israel that have altered or purported to alter the character, legal status and demographic composition of Jerusalem are null and void and have no validity whatsoever. As it has done with regard to countless Security Council and General Assembly resolutions over the decades, Israel has ignored those resolutions of the emergency special session and has actually completed work on the infrastructure of the illegal settlement at Jabal Abu Ghneim.

The illegal construction at Ras al-Amud, a crowded Arab neighbourhood of Occupied East Jerusalem, was also brought to the attention of the Security Council in two letters dated 19 September 1997 (A/52/371-S/1997/727 and A/ES-10/15) and 27 August 1998 (A/52/1025-S/1998/816). The construction at Ras al-Amud represents yet another step in Israel's colonial settlement campaign in the Occupied Palestinian Territory and another specific attempt aimed at judaizing Jerusalem and illegally changing its demographic composition and

character. In both letters, it was emphasized that the Security Council needed to take immediate action with the aim of reversing the Israeli decision concerning Ras al-Amud and bringing an end to the repeated violations of international law and resolutions of the Council in this regard.

Today, as mentioned above, we are once again confronted with illegal Israeli actions at Jabal Abu Ghneim and Ras al-Amud. This serious situation must be responded to and addressed appropriately and in a timely manner. As indicated above, it is probable that a lack of decisive action by the Council was construed by the Israeli side as encouragement to proceed with such illegal measures. The Security Council, as the body responsible for the maintenance of international peace and security, has the duty to take immediate action in order to reverse the Israeli decisions, bring an end to these violations and ensure respect for the Council's resolutions as well as for international law.

I would be grateful if you would arrange to have the text of the present letter distributed as a document of the General Assembly, under agenda items 39, 40 and 84, and of the Security Council.

(Signed) Nasser AL-KIDWA
Ambassador
Permanent Observer of Palestine
to the United Nations

UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/1999/588
21 May 1999

ORIGINAL: ENGLISH

Argentina, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution

The Security Council,

Recalling its previous relevant resolutions and in particular its resolutions 986 (1995) of 14 April 1995, 1111 (1997) of 4 June 1997, 1129 (1997) of 12 September 1997, 1143 (1997) of 4 December 1997, 1153 (1998) of 20 February 1998, 1175 (1998) of 19 June 1998 and 1210 (1998) of 24 November 1998,

Convinced of the need as a temporary measure to continue to provide for the humanitarian needs of the Iraqi people until the fulfilment by the Government of Iraq of the relevant resolutions, including notably resolution 687 (1991) of 3 April 1991, allows the Council to take further action with regard to the prohibitions referred to in resolution 661 (1990) of 6 August 1990, in accordance with the provisions of those resolutions,

Convinced also of the need for equitable distribution of humanitarian supplies to all segments of the Iraqi population throughout the country,

Determined to improve the humanitarian situation in Iraq,

Reaffirming the commitment of all Member States to the sovereignty and territorial integrity of Iraq,

Acting under Chapter VII of the Charter of the United Nations,

1. Decides that the provisions of resolution 986 (1995), except those contained in paragraphs 4, 11 and 12, shall remain in force for a new period of 180 days beginning at 00.01 hours, Eastern Standard Time, on 25 May 1999;

2. Further decides that paragraph 2 of resolution 1153 (1998) shall remain in force and shall apply to the 180-day period referred to in paragraph 1 above;

3. Requests the Secretary-General to continue to take the actions necessary to ensure the effective and efficient implementation of this resolution, and to continue to enhance as necessary the United Nations

observation process in Iraq in such a way as to provide the required assurance to the Council that the goods produced in accordance with this resolution are distributed equitably and that all supplies authorized for procurement, including dual usage items and spare parts, are utilized for the purpose for which they have been authorized;

4. Takes note that the Committee established by resolution 661 (1990) is reviewing various options, in particular the proposal made by the Secretary-General, as requested by paragraph 4 of resolution 1210 (1998), to resolve the difficulties encountered in the financial process referred to in the Secretary-General's report of 19 November 1998 (S/1998/1100);

5. Further decides to conduct a thorough review of all aspects of the implementation of this resolution 90 days after the entry into force of paragraph 1 above and again prior to the end of the 180-day period, on receipt of the reports referred to in paragraphs 6 and 10 below, and expresses its intention, prior to the end of the 180-day period, to consider favourably renewal of the provisions of this resolution as appropriate, provided that the said reports indicate that those provisions are being satisfactorily implemented;

6. Requests the Secretary-General to report to the Council 90 days after the date of entry into force of paragraph 1 above and again prior to the end of the 180-day period, on the basis of observations of United Nations personnel in Iraq, and of consultations with the Government of Iraq, on whether Iraq has ensured the equitable distribution of medicine, health supplies, foodstuffs, and materials and supplies for essential civilian needs, financed in accordance with paragraph 8 (a) of resolution 986 (1995), including in his reports any observations which he may have on the adequacy of the revenues to meet Iraq's humanitarian needs, and on Iraq's capacity to export sufficient quantities of petroleum and petroleum products to produce the sum referred to in paragraph 2 of resolution 1153 (1998);

7. Requests the Secretary-General to report to the Council if Iraq is unable to export petroleum and petroleum products sufficient to produce the total sum provided for in paragraph 2 above and, following consultations with relevant United Nations agencies and the Iraqi authorities, make recommendations for the expenditure of the sum expected to be available, consistent with the priorities established in paragraph 2 of resolution 1153 (1998) and with the distribution plan referred to in paragraph 5 of resolution 1175 (1998);

8. Decides that paragraphs 1, 2, 3 and 4 of resolution 1175 (1998) shall remain in force and shall apply to the new 180-day period referred to in paragraph 1 above;

9. Requests the Secretary-General, in consultation with the Government of Iraq, to submit to the Council, by 30 June 1999, a detailed list of parts and equipment necessary for the purpose described in paragraph 1 of resolution 1175 (1998);

10. Requests the Committee established by resolution 661 (1990), in close coordination with the Secretary-General, to report to the Council 90 days after

the entry into force of paragraph 1 above and again prior to the end of the 180-day period on the implementation of the arrangements in paragraphs 1, 2, 6, 8, 9 and 10 of resolution 986 (1995);

11. Urges all States, and in particular the Government of Iraq, to provide their full cooperation in the effective implementation of this resolution;

12. Appeals to all States to continue to cooperate in the timely submission of applications and the expeditious issue of export licences, facilitating the transit of humanitarian supplies authorized by the Committee established by resolution 661 (1990), and to take all other appropriate measures within their competence in order to ensure that urgently required humanitarian supplies reach the Iraqi people as rapidly as possible;

13. Stresses the need to continue to ensure respect for the security and safety of all persons directly involved in the implementation of this resolution in Iraq;

14. Decides to keep these arrangements under review, including in particular those in paragraph 2 above, to ensure the uninterrupted flow of humanitarian supplies into Iraq, and expresses its willingness to review the relevant recommendations of the report of the panel established to review humanitarian issues (S/1999/356, annex II) as appropriate with regard to the 180-day period referred to in paragraph 1 above;

15. Decides to remain seized of the matter.

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1999/589
20 May 1999
ENGLISH
ORIGINAL: FRENCH

LETTER DATED 19 MAY 1999 FROM THE PERMANENT REPRESENTATIVE OF GERMANY TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to bring to your attention the conclusions of the Council - General Affairs - of the European Union regarding Kosovo, published on 17 May 1999 (see annex).

I should be grateful if you would have the text of this letter and its annex circulated as a document of the Security Council.

(Signed) Dieter KASTRUP
Permanent Representative of Germany
to the United Nations

99-15006 (E) 200599 200599

/...

Annex

Council - General Affairs - conclusions

Published in Brussels on 17 May 1999

[Original: English and French]

Kosovo

The Council recalled its conclusions of 8 and 26 April and regretted that President Milosevic still has not accepted the set of conditions of the international community. Half or partial measures which do not meet the above conditions will fail to provide the guarantees necessary for the safe return of the refugees. The Council emphasized the EU's adherence to these conditions in their entirety.

The Council discussed the repercussions of the Kosovo crisis with President Milo Djukanovic. It reiterated its full support for the democratically elected Government of Montenegro and commended its determined efforts to continue on its democratic course under very difficult circumstances and to avoid giving a pretext to President Milosevic for undermining and destabilizing the Republic.

The Council welcomed the opportunity to discuss the situation in Kosovo with Mr. Ibrahim Rugova. The Council informed Mr. Rugova of its current efforts to solve the Kosovo crisis through a political settlement that would provide for the safe return of all refugees and for substantial self-government for Kosovo within the borders of the Federal Republic of Yugoslavia and help abate the overheated nationalist sentiments now prevailing in the area.

The Council warmly welcomed the general principles for a political solution to the Kosovo crisis adopted by the G8 Foreign Ministers.

The Council supported President Ahtisaari's willingness to work on behalf of the Union, in cooperation with the Russian and United States efforts, to ensure the implementation of the conditions of the international community to end the conflict in Kosovo.

The Council also welcomed the appointment by the United Nations Secretary-General of two Special Representatives for the Kosovo crisis, former Prime Minister Carl Bildt of Sweden and Foreign Minister Milan Kukan of Slovakia.

The Council stressed the need for an early United Nations Security Council resolution and confirmed its preparedness to bring such a resolution about. The EU confirmed its readiness to play its part in implementing an agreed political solution.

The Council welcomed the cooperation of associated countries with the Union's sanctions regime.

The Council shared the profound regret expressed by the United Nations Security Council over the bombing of the Chinese embassy in Belgrade.

The Council urged all relevant organizations to make the maximum effort to bring humanitarian assistance to the internally displaced persons within Kosovo.

The Council highlighted the need for EU assistance to have an early impact in the region and heard a report by the Commission on the allocation and the intended rapid disbursement, within the next few days, of the 100 million Euro direct budgetary assistance to Albania, the former Yugoslav Republic of Macedonia and Montenegro in order to contribute to the stabilization of the region. Fully aware of the enormous strain the refugee influx is exerting on the fragile democracies of the region, the Council closely follows the developments on the ground and encourages the former Yugoslav Republic of Macedonia authorities to exhaust all possibilities to cope with the ensuing problems. The Council heard a preliminary report by the Commission on its conditionality review, an enhanced regional approach and the upgrading of contractual relations with the former Yugoslav Republic of Macedonia and Albania. It looked forward to the early submission by the Commission of its communication on these issues.

The Council agreed upon the establishment of a Stability Pact, the adoption of a related Common Position and a draft text for "the Stability Pact" providing the basis for further talks between the EU and other Parties of the Pact. The Council instructed the relevant working bodies to take work forward urgently, with a view to a meeting at senior officials level to be held in Bonn on 27 May. The Council recalled that the European Council in Vienna in December 1998 had concluded that a Common Strategy on the Western Balkans should be developed, and agreed that the necessary work should be put in hand, on the basis of a broader regional approach.

Appendix

Common position concerning the launching of the Stability Pact of the EU on south-eastern Europe

THE COUNCIL OF THE EUROPEAN UNION,

having regard to the Treaty on European Union, and in particular its Article 15;

Whereas:

1. on 8 and 26 April 1999 the Council adopted conclusions concerning south-eastern Europe;

2. a political solution to the Kosovo crisis must be embedded in a determined effort geared towards stabilizing the region as a whole;

3. a Stability Pact for south-eastern Europe should be prepared;

4. such a Stability Pact should be founded on the United Nations Charter, the principles and commitments of the OSCE, and the relevant treaties and conventions of the Council of Europe, in particular the European Convention on Human Rights;

5. the EU should play the leading role in the Stability Pact, the OSCE has a key role to play in fostering security and stability, and the Stability Pact should be developed and implemented in close association with the OSCE;

6. the EU, in the framework of the Regional Approach and beyond, is already active in strengthening democratic and economic institutions in the region through a number of well established programmes;

7. the EU will draw the region closer to the perspective of full integration of these countries into its structures through a new kind of contractual relationship, taking into account the individual situation of each country, with a perspective of EU membership on the basis of the Amsterdam Treaty and once the Copenhagen criteria have been met;

8. the Federal Republic of Yugoslavia should be invited to participate in such a Stability Pact once it has met the necessary conditions;

HAS ADOPTED THE FOLLOWING COMMON POSITION:

Article 1

1. The EU will play the leading role in establishing a Stability Pact for south-eastern Europe.

2. The aim of this Stability Pact is to help ensure cooperation among the countries in the region towards comprehensive measures for the long-term

stabilization, security, democratization, and economic reconstruction and development of the region, and for the establishment of durable good-neighbourly relations among and between them, and with the international community.

3. The EU will work to ensure the creation among the participants themselves of a "South-Eastern Europe Regional Table" to carry forward the Stability Pact.

Article 2

1. In order to further the objectives stated in Article 1 the European Union will convene a conference on south-eastern Europe.

2. The conference will take place at the level of Foreign Ministers, if possible no later than the end of July 1999 in the light of developments in the region. The conference will be held using the Royaumont format (excluding the Federal Republic of Yugoslavia until it has met the conditions of the international community for its participation). In addition, representatives of Canada, Japan, EBRD, EIB, IMF, WB, OECD, United Nations, NATO, WEU, UNHCR, as well as representatives of regional initiatives will also participate at the conference.

3. The conference will be prepared at a meeting in Königswinter (Petersberg) on 27 May 1999 at the level of senior officials, in the format set out in paragraph 2. With a view to this, work for this conference will be carried forward urgently.

Article 3

1. The EU will actively support the countries in the region in achieving the objectives of the Stability Pact.

2. The EU will undertake together with international donors to organize a donors/reconstruction conference for south-eastern Europe.

Article 4

The Common Position shall take effect on the date of its adoption.

Article 5

This Common Position shall be published in the Official Journal.

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1999/590
21 May 1999
ENGLISH
ORIGINAL: FRENCH

LETTER DATED 18 MAY 1999 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to refer to my report of 22 March 1999 (S/1999/307) in which I informed the Security Council of the resignation of Mr. Charles Dunbar from his duties as Special Representative for Western Sahara.

Following consultations regarding a replacement, I have decided to appoint Mr. William Eagleton (United States of America) as my Special Representative for Western Sahara.

I should be grateful if you would bring this to the attention of the members of the Council.

(Signed) Kofi A. ANNAN

99-15095 (E) 210599 210599

UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/1999/591
21 May 1999
ENGLISH
ORIGINAL: FRENCH

LETTER DATED 21 MAY 1999 FROM THE PRESIDENT OF THE SECURITY COUNCIL ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to inform you that your letter dated 18 May 1999 (S/1999/590) concerning your decision to appoint Mr. William Eagleton (United States of America) as your Special Representative for Western Sahara has been brought to the attention of the members of the Security Council, who have taken note of it.

(Signed) Denis DANGUE REWAKA
President of the Security Council

99-15101 (E) 210599 210599

UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/1999/592
21 May 1999
ENGLISH
ORIGINAL: RUSSIAN

LETTER DATED 20 MAY 1999 FROM THE PERMANENT REPRESENTATIVE OF THE RUSSIAN FEDERATION TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to transmit herewith the text of a statement by the Ministry of Foreign Affairs of the Russian Federation dated 20 May 1999 concerning the latest air strike by North Atlantic Treaty Organization (NATO) aircraft against civilian targets in Belgrade (see annex). I should be grateful if you would have the text of this letter and its annex circulated as an official document of the Security Council.

(Signed) S. LAVROV

99-15132 (E) 210599 210599

/...

Annex

Statement issued on 20 May 1999 by the Ministry of Foreign Affairs of the Russian Federation

Last night, during the most intensive raids by NATO aviation against Belgrade over the recent period, the neurosurgery department of the "Dragisa Misovic" hospital was destroyed by a direct hit from two missiles, and the paediatric and gynaecological departments were severely damaged. As a result of the bombings, three patients died, and two women and several medical staff were injured. The residence of the Swedish ambassador to the Federal Republic of Yugoslavia was also damaged by NATO aircraft.

The Russian Federation once again firmly condemns the criminal actions by the aircraft of the alliance. The terrible consequences of bomb strikes for the civilian population of Yugoslavia have now become a daily reality. The raid on the hospital in Belgrade is a heinous violation of the Geneva Conventions on the Protection of War Victims.

In protesting against these actions, we once again call on the NATO leadership and member countries of the alliance to reconsider and to proceed seriously to political negotiations with the objective of settling the Kosovo problem. We are convinced that there is no other course, and the NATO strategists should be clearly aware of that.

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1999/593
21 May 1999
ENGLISH
ORIGINAL: RUSSIAN

LETTER DATED 20 MAY 1999 FROM THE PERMANENT REPRESENTATIVE OF THE RUSSIAN FEDERATION TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to transmit herewith the text of a statement by the Ministry of Foreign Affairs of the Russian Federation concerning the capture in Angola by the forces of the União Nacional para a Independência Total de Angola (UNITA) of the Russian crew of a civilian aircraft shot down by them near Luzamba.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) S. LAVROV

99-15126 (E) 210599 210599

Annex

Statement issued on 20 May 1999 by the Ministry of Foreign Affairs of the Russian Federation

On 12 May 1999 an AN-26 civilian aircraft was shot down in Angola near the town of Luzamba, Lunda Norte province. The Russian crew (flight commander A. L. Zaitsev, co-pilot S. K. Zakharov and flight engineer S. I. Chestyakov) were captured by the União Nacional para a Independência Total de Angola (UNITA) opposition to the Angolan Government. The aircraft was chartered by an Angolan company - "Avita" - and was used to transport food and other civilian cargo on domestic Angolan routes under a commercial contract with that company.

According to available information, the aircraft was struck by a missile, which hit its left engine. UNITA took responsibility for this act. Thus, the UNITA leadership publicly recognized the fact of the destruction of a civilian aircraft over the territories it controls and the capture of the crew.

It is significant that over the past nine months seven aircraft have been shot down or disappeared without trace in Angola, including two United Nations aircraft and four aircraft with Russian crews. In all these cases UNITA has refused to cooperate with the international community in investigating the incidents.

In Moscow the incident involving the AN-26 aircraft and the capture of its crew are regarded as a flagrant violation of the foundations of international law and an act of international terrorism. This was a civilian aircraft, which transported only commercial cargoes. The Russian airmen had never been in the service of the Angolan air force, and had not participated in assignments for the Angolan army or in military action. In this connection, the Ministry of Foreign Affairs of the Russian Federation is authorized to state that the accusations of mercenarism made by UNITA against the Russian aviators are totally far-fetched and have absolutely no foundation.

The Ministry of Foreign Affairs of the Russian Federation demands the immediate and unconditional release of all Russian citizens captured by UNITA and illegally held.

The UNITA leadership bears full responsibility for the possible consequences of this barbaric act, and for the safety and health of the Russian citizens.

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1999/594
21 May 1999
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 20 MAY 1999 FROM THE PERMANENT REPRESENTATIVE OF KUWAIT TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, and with reference to the letter dated 31 March 1999 from the Permanent Representative of Iraq to the United Nations addressed to you (S/1999/364), alleging that a Kuwaiti patrol unit consisting of two naval craft fired on an Iraqi fishing boat inside Iraq's territorial waters in the Khawr Abd Adallah area on 18 March 1999, I have the honour to inform you that these allegations, which Iraq repeats on a periodic basis, are nothing but falsehoods which the Iraqi Government persists in propagating, and which are totally without foundation. Moreover, the competent authorities in Kuwait have categorically denied Iraq's allegations, which reflect nothing more than a policy aimed at escalating tension in the region.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Saeed H. HASAN
Ambassador
Permanent Representative

99-15200 (E) 240599 240599

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1999/594*
25 May 1999
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 20 MAY 1999 FROM THE PERMANENT REPRESENTATIVE OF KUWAIT TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, and with reference to the letter dated 31 March 1999 from the Permanent Representative of Iraq to the United Nations addressed to you (S/1999/364), alleging that a Kuwaiti patrol unit consisting of two naval craft fired on an Iraqi fishing boat inside Iraq's territorial waters in the Khawr Abd Adallah area on 18 March 1999, I have the honour to inform you that these allegations, which Iraq repeats on a periodic basis, are nothing but falsehoods which the Iraqi Government persists in propagating, and which are totally without foundation. Moreover, the competent authorities in Kuwait have categorically denied Iraq's allegations, which reflect nothing more than a policy aimed at escalating tension in the region.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Mohammad A. ABULHASAN
Ambassador
Permanent Representative

---

* Reissued for technical reasons.

99-15359 (E) 250599

UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/1999/595
22 May 1999

ORIGINAL: ENGLISH

Question of East Timor

Report of the Secretary-General

1. The present report is submitted in pursuance of paragraph 8 of Security Council resolution 1236 (1999) of 7 May 1999, in which the Council requested me to keep it closely informed of the situation in East Timor and to report to it by 24 May 1999 on the implementation of that resolution and of the Agreements reached on 5 May 1999 by the Governments of Indonesia and Portugal and the United Nations (see A/53/951-S/1999/513). The Council requested me, in particular, to specify the detailed modalities of the consultation process to be conducted by the United Nations and to present detailed recommendations on the mandate, size, structure and budget of the United Nations mission, including civilian police officers.

2. In implementation of the above requests, I dispatched an assessment team to East Timor from 4 to 15 May to evaluate the political and security situation on the ground, to discuss with the Indonesian authorities the facilities available in Dili and elsewhere for the establishment of the United Nations mission and to obtain the necessary information to enable the Secretariat to draw up a detailed operational plan for the consultation.

3. The Security Council will be aware of the very tight time-frame for the operation resulting from the decision by the parties to set 8 August 1999 as the date for the ballot. In addition, the difficult terrain and limited infrastructure of East Timor further complicate the task. The Territory, 14,500 square kilometres in size, is about 265 kilometres from east to west, and is dominated by a central mountainous spine reaching almost 3,000 metres at its highest point. Most roads throughout the Territory require four-wheel drive vehicles, and existing communications infrastructure is limited. East Timor is not a contiguous Territory, as it also includes the enclave of Ocussi Ambeno, situated in West Timor some 120 kilometres west of the East Timor/West Timor border, as well as the islands of Atauro and Jaco.

4. In accordance with the overall Agreement between the Governments of Indonesia and Portugal and the two supplementary Agreements between the United Nations and the two Governments (A/53/951-S/1999/513, annexes I-III), I propose the establishment of the United Nations Mission in East Timor (UNAMET) to organize and conduct a popular consultation in order to ascertain whether the

East Timorese people accept or reject the proposed constitutional framework providing for a special autonomy for East Timor within the unitary Republic of Indonesia. The deployment of UNAMET will also enable me to discharge my responsibility as stipulated in paragraph 3 of the Agreement regarding security (ibid., annex III).

5. Three essential conditions must be met for UNAMET to be effective. First, it must at all times have the full confidence and backing of the Security Council. Secondly, it must function with the full cooperation of the Indonesian authorities. Thirdly, it must have the resources necessary to carry out its tasks. I shall keep the Council informed of developments relating to the functioning of the Mission and seek the Council's guidance, as appropriate.

6. UNAMET must enjoy the privileges and immunities, freedom of movement and communication and other facilities necessary for the performance of its tasks. I shall seek to conclude with the Government of Indonesia, as soon as possible, a status-of-mission agreement.

7. UNAMET will carry out its tasks objectively and impartially. Its personnel shall neither seek nor accept instructions from any source external to the United Nations.

8. Jamsheed Marker will continue to serve as my Personal Representative for East Timor. As the Council is aware, I have decided to appoint Ian Martin as my Special Representative for the East Timor Popular Consultation and as Head of UNAMET. The Mission will include political, electoral, civilian police, information and administrative/financial components, the heads of which will report to the Special Representative. Human rights will be integrated in different aspects of the Mission's components. In addition, the Mission will include a small component to monitor humanitarian developments in the Territory and advise the Special Representative on humanitarian issues.

9. At full deployment, UNAMET will have 241 international staff members and 420 United Nations Volunteers, up to 280 civilian police, as well as some 4,000 local staff. Given the limited time period before the consultation, the personnel for UNAMET are being recruited as speedily as possible, while at the same time ensuring high standards of efficiency and the security of United Nations personnel. Thus, the deployment of UNAMET will begin with the establishment of a headquarters in Dili, to be followed by seven regional centres, with a possible further expansion at the subregional level.

Political component

10. In order to monitor the overall implementation of the three Agreements concluded on 5 May in New York, UNAMET will include a political component, consisting of a Chief Political Officer, who will head the component and will report to the Special Representative, and 15 Political Officers, who will be deployed in each of the Mission's regional centres. In addition, a Senior Political Officer will be posted in Jakarta to serve as liaison with the Indonesian authorities.

11. The political component will be responsible for monitoring the fairness of the political environment and ensuring the freedom of all political and other non-governmental organizations to carry out their activities peacefully. It will monitor and advise the Special Representative on all matters that have political implications for the effective holding of the popular consultation.

Electoral component

12. The electoral component will be responsible for all activities related to registration and voting. The core staff at UNAMET headquarters will be headed by a Chief Electoral Officer, complemented by 16 regional staff. An additional 400 polling officers will be provided through the United Nations Volunteers.

13. The external polling called for in the Agreements will be conducted on behalf of the United Nations by the Australian Election Commission and the International Organization for Migration (IOM). This external polling will be coordinated through the IOM field coordinator, the Electoral Assistance Division of the United Nations Secretariat and the electoral component based in Dili.

14. It is my intention to appoint three eminent international experts to serve as members of the Electoral Commission, which will be responsible for the overall assessment of the consultation process and for hearing any complaints, challenges or disputes thereon. The Commission, the terms of reference of which are being prepared, will be an independent body with final decision-making authority. The Chief Electoral Officer may attend and address meetings of the Commission.

Popular consultation modalities

15. The recent assessment mission confirmed that the voting population in East Timor is estimated at approximately 400,000 people, spread in 13 districts, subdivided into 62 sub-districts and 462 municipalities. I propose to establish 200 centres inside East Timor where registration and polling will take place. Approximately 40 per cent of the eligible voters are located in the Dili-Aileu-Manatuto-Baucau region in the north of the Territory, which is the most accessible. Specific logistical plans are being laid down for this region and for the east, south and west of the Territory, as well as for the enclave of Ocussi Ambeno, which differ significantly in terms of conditions and requirements.

16. For purposes of the consultation, the districts will be divided into eight regional centres. Each centre will be staffed by two international supervisors. All participants in the consultative process will be required to register specifically for the polling on 8 August 1999. Registration will take place over 20 consecutive days at the 200 registration centres. At its conclusion, registration lists will be posted publicly for a period of five days. For the polling, the registration centres will be subdivided into 700 polling stations. External polling will follow an identical timetable.

17. Since the United Nations is itself organizing and conducting the popular consultation in East Timor, UNAMET will not be responsible for assisting or coordinating international observers. For those who may wish to observe, the

United Nations will be responsible for accreditation and the provision of an observer code of conduct. However, all arrangements for international observation, including transport, accommodation and security, are outside the responsibility of UNAMET.

18. The schedule of activities outlined in the Agreement regarding modalities (A/53/951-S/1999/513, annex II) is being strictly adhered to. Instructions and procedures on all aspects of the consultative process are currently being drafted within the Electoral Assistance Division of the Secretariat. These include directives on the registration process, documentation, appeals, codes of conduct, external polling and counting. Ballot design is being discussed, and procurement will be initiated shortly for such items as ballot boxes, ballot papers, voting compartments, seals and other requisites.

Information activities

19. In order to provide the East Timorese with the information necessary to make an informed choice on 8 August, and in accordance with the Agreement on modalities, which calls for the United Nations to conduct an information campaign, UNAMET will include an information component to explain to the East Timorese people the terms of the main Agreement and the autonomy framework (A/53/951-S/1999/513, annex I, appendix). It will also provide information on the process and procedure of the vote and explain the implications of a vote in favour of or against the proposal. The information campaign will be conducted in an objective and impartial manner, without prejudice to any position or outcome.

20. The information campaign, which will last for the duration of the Mission, will be conducted over radio, on television and through print, using existing facilities insofar as possible, and by such means as public meetings and other public outreach programmes. The campaign will be conducted in the Tetum, Bahasa Indonesia and Portuguese languages. Information will also be provided through United Nations Headquarters and United Nations information centres for those East Timorese living outside the Territory.

21. The assessment team found a willingness among local media providers to cooperate with the United Nations by making broadcast and production facilities available. A high priority will be given to securing access to the airwaves on all available broadcast channels, as well as to existing production facilities, through an exchange of letters or other written agreements with those responsible for the facilities. In order to guarantee rapid and unimpeded production, consideration is also being given to setting up a small radio and television production facility for UNAMET.

Security situation

22. As I noted in my previous report, according to article 3 of the overall Agreement (A/53/951-S/1999/513, annex I), the Government of Indonesia is responsible for maintaining peace and security in East Timor in order to ensure that the popular consultation is carried out in a fair and peaceful way in an atmosphere free of intimidation, violence or interference from any side. In the Agreement regarding security (ibid., annex III), its signatories agreed that a

secure environment devoid of violence or other forms of intimidation was a prerequisite for the holding of a free and fair ballot in East Timor, and further, that the absolute neutrality of the Indonesian Armed Forces (TNI) and the Indonesian police was essential in this regard. In my last report, I drew the attention of the Security Council to the high level of tension and political violence that are prevalent in East Timor and indicated the main elements that would need to be in place in order to enable me to determine that the necessary conditions exist for the start of the operational phases of the consultation process.

23. Despite repeated assurances that measures would be taken by the Indonesian authorities to ensure security in East Timor and curtail the illegal activities of the armed militias, I regret to inform the Security Council that credible reports continue to be received of political violence, including intimidation and killings, by armed militias against unarmed pro-independence civilians. I am deeply concerned to learn from the assessment team that, as a result, the situation in East Timor remains extremely tense and volatile. While the team was in Dili, several shootings occurred on the outskirts of the city, the house of the head of a local human rights organization was vandalized and a clash took place between pro-integration and pro-independence militias, resulting in the deaths of at least three people. Furthermore, there are indications that the militias, believed by many observers to be operating with the acquiescence of elements of the army, have not only in recent weeks begun to attack pro-independence groups, but are beginning to threaten moderate pro-integration supporters as well. Truckloads of pro-integration militia are able to roam about freely in the towns and to set up checkpoints along the roads without any intervention from the army or the police. While accurate information about the militias is not readily available, there would appear to be currently some 24 such groups spread around the Territory. Most of the pro-independence leaders have fled from Dili or gone into hiding. Only one leader from the Timor National Resistance Council, Leandro Isaac, who had taken refuge at the police headquarters in Dili, was available to meet some members of the team during their stay in East Timor.

Commission on Peace and Stability

24. The Commission on Peace and Stability, established on 21 April by representatives of the pro-independence and pro-integration sides, the local government and the local police and military commanders, has yet to become operational, despite the call in the Agreements of 5 May for it to become operational without delay. This is largely attributable to the inability of the pro-independence representatives to participate freely owing to the physical threats posed by the armed militias. Under the Agreement regarding security, the Commission, in cooperation with the United Nations, was entrusted with the task of elaborating a code of conduct, by which all parties should abide, for the period prior to and following the consultation, ensuring the laying down of arms and adopting the necessary steps to achieve disarmament. I intend to make every effort to enable the members of the Commission to meet and to begin this important work, and UNAMET will be taking up the issue of security and protection for members of the Commission with the local police and military. I will also seek to ensure the full participation of the United Nations in the work of the Commission. I must underline the importance, for the credibility of

the consultation process, of ensuring the free participation of representatives of all political viewpoints in the Commission and, more broadly, in the debate and campaign on the special autonomy proposal.

25. I welcome and strongly support the efforts made by Bishop Belo, through the Commission on Peace and Justice, to launch the Dare II reconciliation meeting, which is aimed at bringing about peace and reconciliation among the various factions that exist within East Timorese society.

Security measures

United Nations civilian police

26. According to article 4 of the Agreement regarding security (A/53/951-S/1999/513, annex III), the local police are to be solely responsible for the maintenance of law and order, although there appear to be a number of constraints that have prevented the local police, thus far at least, from assuming that responsibility. The tasks of United Nations civilian police will be to act as advisers to the Indonesian police in the discharge of their duties and, at the time of the consultation, supervise the escort of ballot papers and boxes to and from the polling sites. To carry out these tasks, a total of up to 280 experienced civilian police officers will be required for deployment in Dili, the eight districts where electoral offices are to be established and the 200 registration/polling centres. The first team, composed of headquarters staff, will be dispatched by mid-June. As the head of the civilian police component, a Civilian Police Commissioner will be appointed from among Member States contributing police personnel.

27. It would be my intention, given the important role played by the Indonesian armed forces in East Timor, to assign a number of military liaison officers to maintain contact with their Indonesian counterparts. This would assist the Mission in the discharge of its responsibilities under articles 3 and 7 of the overall Agreement and paragraphs 1 and 3 of the Agreement regarding security. I am examining this possibility and will be reporting to the Security Council as soon as consultations have been completed.

Security of United Nations personnel

28. My assessment teams have been well received in East Timor. However, they have noted that unrealistic expectations of the United Nations role exist among some East Timorese which cannot be met in full. UNAMET will be taking a clear stand against acts of intimidation from any quarter. The Indonesian authorities will be fully responsible for the security of United Nations personnel and have given the Secretariat assurances in that regard. The United Nations will be in close contact with them to discuss specific measures, including the protection and, if necessary, extraction of United Nations personnel deployed in remote locations.

Budget of the United Nations Mission in East Timor

29. A budget comprising total costs for UNAMET, except those associated with the civilian police component, has been submitted to the General Assembly in

document A/C.5/53/61. I have sought commitment authority from the Assembly so that the operation may proceed smoothly. Cost estimates for the civilian police and possible military liaison component (see para. 27 above) will be submitted shortly. As I indicated in my last report to the Security Council, I have established a Trust Fund for East Timor, which has been utilized to cover various expenses associated with the launching of the Mission. I am grateful to those Member States that have already contributed to the Fund.

Conclusions and recommendations

30. Every effort is being made to deploy the Mission as rapidly as possible. The deployment will occur in phases and will inevitably be dependent upon security conditions in the Territory and, given the logistical challenges and limited infrastructure, on the timely availability of the necessary personnel and other resources.

31. UNAMET will also depend upon the full cooperation of the Government of Indonesia and the local authorities in East Timor. I am pleased to note that, thus far, this cooperation has been forthcoming and fruitful. As I have indicated above, UNAMET must enjoy the privileges and immunities, freedom of movement and communication and other facilities necessary for the effective performance of its tasks. I shall seek to conclude with the Government of Indonesia, as soon as possible, a status of mission agreement to ensure the smooth running of the operation.

32. I wish to remind all concerned of the importance of the measures outlined in paragraph 6 of my previous report, which the Indonesian authorities need to take in order to ensure a free environment for the consultation. These include the bringing of armed civilian groups under strict control and the prompt arrest and prosecution of those who incite or threaten to use violence, a ban on rallies by armed groups while ensuring the freedom of association and expression of all political forces and tendencies, the redeployment of Indonesian military forces and the immediate institution of a process of laying down of arms by all armed groups well in advance of the holding of the ballot.

33. Whatever the outcome of the popular consultation, there will be a pressing need for reconciliation between the various competing factions within East Timor. The work of the two East Timorese Bishops and others to promote dialogue and bring about reconciliation between the pro-independence and pro-integration sides constitutes an important element in the overall effort to achieve a peaceful solution to the East Timor question.

34. It is my sincere hope that all necessary steps will be taken to improve the security conditions in East Timor, so that the consultation process can move forward in a secure and peaceful atmosphere. With continued close and effective cooperation between the Indonesian authorities and the United Nations, the security situation ought to improve to allow for a peaceful and secure consultation process. To that end, I also recommend that every effort be made to make the Commission on Peace and Stability operative.

35. I would like to recall that, as stipulated in the Agreement regarding security, I am called upon to ascertain, prior to the start of the registration

and based on the objective evaluation of UNAMET, that the necessary security situation exists for the peaceful implementation of the operative phases of the consultation process. I wish to assure the Security Council that I intend to carry out that responsibility with the utmost care.

36. The Agreements of 5 May constitute an historic opportunity to resolve the question of East Timor. The Governments of Indonesia and Portugal are to be justly congratulated on their efforts thus far. Upon its establishment, UNAMET will do its utmost to enable the East Timorese to freely express their will regarding their future.

37. In conclusion, I request the Security Council to approve the mandate of UNAMET and the modalities for the implementation of the popular consultation process. I shall continue to report to the Council at regular intervals.

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1999/596
21 May 1999

ORIGINAL: ENGLISH

LETTER DATED 21 MAY 1999 FROM THE PERMANENT REPRESENTATIVE OF THE SUDAN TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

1. I have the honour to transmit herewith an article entitled "US should admit its mistake in Sudan bombing", published by the Wall Street Journal on Thursday, 20 May 1999, by Mr. Milt Bearden, a former CIA official who retired from the CIA in 1994, after a 30-year career in the Agency (see annex). He was the CIA Chief in Khartoum in the early 1980s, and travelled to Khartoum in January 1999 as part of a PBS "Frontline" team investigating El Shifa.

2. The former CIA official stated in this article that the National Security Advisor, Samuel R. Berger, justified the action against the factory by claiming that the plant was part of the "Sudanese military industrial complex", that it was heavily guarded, that it produced no medicines and that its ownership trail led to terrorist chief Osama bin Laden. He explained that within 24 hours diplomatic sources in the Sudan had dismantled Berger's story. "El Shifa was not a heavily guarded installation", said the German Ambassador in Khartoum, Werner Daum. "El Shifa did indeed produce large amounts of medicines, some under contract to the United Nations", declared the British Ambassador, Tom Carnaffin, who oversaw the construction, and independent investigators from London-based Kroll Associates concluded that the plant was not part of the Sudanese Military Industrial Corp. (whose name Mr. Berger got wrong), a hodgepodge of low-tech facilities in and around Khartoum that make military equipment ranging from uniforms to heavy mortars.

3. The former CIA official went on in his article to refute Berger's claims about the soil sample from the factory by saying "We later learned from press reports that the soil sample from El Shifa was collected by an Egyptian agent, acting at the direction of the CIA". He made clear that although environmental sampling near suspected nuclear and chemical facilities is a respected decades-old intelligence-collection method, never before has a single sample prompted an act of war against a sovereign State. On the contrary, soil sampling has historically been considered only a small tile of the intelligence mosaic. He added that the questions run deeper. In the case of the El Shifa sample, even the science has been challenged by United States and foreign experts. Immediately after the attack, the Sudan requested that a United Nations team be sent to Khartoum to inspect the destroyed plant. That move was blocked by the United States as "having no purpose". There were, however, unofficial

inspections by American and European scientists, none of which produced evidence of EMPTA or other dangerous chemicals at El Shifa.

4. The former CIA expert raised the question, does it make sense for the sole remaining super-Power to attack a small African nation, without warning, based solely on unconfirmed evidence provided by an agent from a third country? An understanding of North African history might suggest that a second opinion be sought before letting fly the missiles.

5. He also indicated that there is an immutable Washington reality: when bad things happen abroad, the immediate choices narrow to intelligence failure or policy failure. Intelligence failure is preferred. But it won't play out that way this time, unless it gets lumped with the intelligence snafu that put NATO's crosshairs erroneously on the Chinese Embassy in Belgrade two weeks ago.

6. He stated that the Sudan affair is purely a policy matter. To be sure, the CIA collected the soil sample. But according to press reports, senior officials at Langley have made it known that they never viewed it as justification for an attack; it was a fragment of intelligence made available to the White House. Though the CIA's official position has fallen into line with the administration's, the decision to bomb was made solely by the White House, with State Department backing.

7. The former CIA official put once again another question, "How does this all play out?" Mr. Idris has sued the United States Government, demanding the unfreezing of his assets. The Clinton administration, in declining to meet him in court, has effectively cleared him of the charges of terrorist links. Mr. Idris will next file a lawsuit asking for compensation for his destroyed pharmaceutical plant. The United States would be wise to settle now, and get the El Shifa affair behind it. The writer added: "But the administration seems to be sticking to its position. According to press reports, the usual 'unnamed senior White House official' maintains that the administration continues to have concerns about Mr. Idris's terrorist links, based on sensitive intelligence sources and methods, which cannot be revealed. Implicit is the suggestion that the administration really does have the goods on Mr. Idris, but is willing to continue to suffer serious damage to its credibility in order to protect sensitive intelligence sources and methods."

8. The former CIA official indicated that the above-mentioned defies reason. The damage to America's credibility is far more serious than any possible short-term compromise of intelligence methods. If the administration has evidence against Mr. Idris or the Sudanese Government, it should lay it out now, including any evidence of chemical weapons production at other locations in the Sudan. There is ample precedent for prudently sacrificing sources and methods to preserve national credibility: the Reagan administration revealed it had intercepted coded Libyan communications to justify its 1986 attack on Tripoli in retaliation for a terrorist bombing in Berlin. A sensitive intelligence capability was sacrificed, but United States credibility remained intact.

9. He concluded the article by saying that the questions about El Shifa will not go away. Either the administration shows its hand, or Congress will move in, with yet another bruising, partisan foreign-policy battle. The intelligence

community will suffer either way, as the question of which United States intelligence officials knew what about El Shifa and when is ferreted out in sworn testimony before the intelligence oversight committees.

10. The article by Mr. Milt Bearden, the former CIA official, is further evidence refuting the United States allegations regarding El Shifa pharmaceutical plant, and provided cogent and irrefutable proof of what the Sudan has for long been saying and communicating to the Security Council on this issue.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Elfatih ERWA
Permanent Representative

Annex

U.S. Should Admit Its Mistake in Sudan Bombing

News Article by WSJ on May 20, 1999 at 09:24:15:

U.S. Should Admit Its Mistake in Sudan Bombing

THE WALL STREET JOURNAL
May 20, 1999
Commentary

By Milt Bearden, who retired from the CIA in 1994, after a 30-year career in the Clandestine Services. He was the CIA's chief in Khartoum in the early 1980s, and he traveled to Khartoum this January as part of a PBS "Frontline" team investigating El Shifa.

Earlier this month the U.S. Treasury unfroze $24 million in U.S. assets held by Salah Idris, the Saudi businessman who owns the El Shifa pharmaceutical plant in Khartoum, Sudan, destroyed by U.S. Tomahawk cruise missiles last August. The Treasury's action amounts to an admission that the U.S. struck the wrong target--yet the Clinton administration still refuses to own up straightforwardly to its mistake.

Immediately after the missiles struck El Shifa (Arabic for "the cure"), National Security Adviser Samuel R. Berger justified the action by claiming the plant was part of the "Sudanese Military Industrial Complex," that it was heavily guarded, that it produced no medicines, and that its ownership trail led to terrorist chief Osama bin Laden. Within 24 hours, diplomatic sources in Sudan had dismantled Berger's story.

El Shifa was not a heavily guarded installation, said the German ambassador in Khartoum, Werner Daum, though a power plant a quarter-mile away was. El Shifa did, indeed, produce large amounts of medicines, some under contract to the U.N., declared the British ambassador, Tom Carnaffin, who oversaw its construction. And independent investigators from London-based Kroll Associates concluded that the plant was not part of the Sudanese Military Industrial Corp. (whose name Mr. Berger got wrong), a hodgepodge of low-tech facilities in and around Khartoum that make military equipment ranging from uniforms to heavy mortars.

/...

Pressed, Mr. Berger said that there was incontrovertible physical evidence--a handful of dirt--containing traces of a precursor chemical, ethyl methylphosphonothionate (known as Empta), used in the production of the deadly VX gas. We later learned from press reports that the soil sample from El Shifa was collected by an Egyptian agent, acting at the direction of the CIA.

Though environmental sampling near suspected nuclear and chemical facilities is a respected, decades-old intelligence-collection method, never before has a single sample prompted an act of war against a sovereign state. On the contrary, soil sampling has historically been considered only a small tile of the intelligence mosaic.

But the questions run deeper. In the case of the El Shifa sample, even the science has been challenged by U.S. and foreign experts. Immediately after the attack, Sudan requested a U.N. team be sent to Khartoum to inspect the destroyed plant. That move was blocked by the U.S. as "having no purpose." There were, however, unofficial inspections by American and European scientists, none of which produced evidence of Empta or other dangerous chemicals at El Shifa.

Does it make sense for the sole remaining superpower to attack a small African nation, without warning, based solely on unconfirmed evidence provided by an agent from a third country? An understanding of North African history might suggest that a second opinion be sought before letting fly the missiles. Consider the possibility of contamination of the soil sample, either through carelessness or intentionally. "Egypt's river," the Nile, runs through the Sudan, and Egypt's claims against its neighbor to the south are almost as old as the river.

There is an immutable Washington reality: When bad things happen abroad, the immediate choices narrow to intelligence failure or policy failure. Intelligence failure is preferred. But it won't play out that way this time, unless it gets lumped with the intelligence snafu that put NATO's crosshairs erroneously on the Chinese Embassy in Belgrade two weeks ago.

The Sudan affair is purely a policy matter. To be sure, the CIA collected the soil sample. But according to press reports, senior officials at Langley have made it known that they never viewed it as justification for an attack; it was a fragment of intelligence made available to the White House. Though the CIA's official position has fallen in line with the administration's, the decision to bomb was made solely by the White House, with State Department backing.

So how does this all play out? Mr. Idris had sued the U.S. government, demanding the unfreezing of his assets. The Clinton administration, in declining to meet him in court, has effectively cleared him of the charges of terrorist links. Mr. Idris will next file a lawsuit asking for compensation for his destroyed pharmaceutical plant. The U.S. would be wise to settle now, and get the El Shifa affair behind it.

But the administration seems to be sticking to its position. According to press reports, the usual "unnamed senior White House official" maintains that the administration continues to have concerns about Mr. Idris's terrorist links, based on sensitive intelligence sources and methods, which cannot be revealed. Implicit is the suggestion that the administration really does have the goods on Mr. Idris, but is willing to continue to suffer serious damage to its credibility in order to protect sensitive intelligence sources and methods.

That defies reason. The damage to America's credibility is far more serious than any possible short-term compromise of intelligence methods. If the administration has evidence against Mr. Idris or the Sudanese government, it should lay it out now, including any evidence of chemical weapons production at other locations in Sudan. There is ample precedent for prudently sacrificing sources and methods to preserve national credibility: The Reagan administration revealed it had intercepted coded Libyan communications to justify its 1986 attack on Tripoli in retaliation for a terrorist bombing in Berlin. A sensitive intelligence capability was sacrificed, but U.S. credibility remained intact.

The questions about El Shifa will not go away. Either the administration shows its hand, or Congress will move in, with yet another bruising, partisan foreign-policy battle. The intelligence community will suffer either way, as the question of which U.S. intelligence officials knew what about El Shifa and when is ferreted out in sworn testimony before the intelligence oversight committees.

On the positive side, finally settling the El Shifa affair might actually get the U.S. re-engaged in Sudan, where its leadership is needed to end the near-biblical suffering in a ravaged region, and in the process move a country that was once a close U.S. ally back into the international community. The Sudanese are ready for that.

UNITED NATIONS

A S

General Assembly
Security Council

Distr.
GENERAL

A/53/972
S/1999/597
21 May 1999

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fifty-third session
Agenda items 39, 40 and 84
QUESTION OF PALESTINE
THE SITUATION IN THE MIDDLE EAST
REPORT OF THE SPECIAL COMMITTEE TO INVESTIGATE ISRAELI PRACTICES AFFECTING THE HUMAN RIGHTS OF THE PALESTINIAN PEOPLE AND OTHER ARABS OF THE OCCUPIED TERRITORIES

SECURITY COUNCIL
Fifty-fourth year

Identical letters dated 11 May 1999 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

Israel, the occupying Power, continues unabated with its illegal actions in occupied East Jerusalem and the rest of the occupied Palestinian territory. These illegal actions aim at the judaization of the city and at the expansion of Israeli colonization of the Palestinian territory. Yesterday, on 10 May 1999, the Israeli Government issued a "closure order" for three offices in the Orient House in East Jerusalem. The implementation of this order was delayed, however, only as a result of a petition by an Israeli group to the Israeli High Court, which, under international law, has no jurisdiction over occupied Jerusalem.

This attempted closure was coupled with further steps by the Israeli Government, also yesterday, to funnel in additional financial resources for settlement activity in Jerusalem. As part of this scheme, the goal of which is to transfer even more Israeli citizens to occupied Jerusalem, the Israeli Government pledged to provide each settler who moved into a new neighbourhood in occupied East Jerusalem with US$ 5,000. Such illegal actions are not limited to Jerusalem alone; settlement activities continue in several locations throughout the occupied Palestinian territory, with the expansion of already existing settlements and the creation of new ones.

All of the above-mentioned actions and policies, on the part of the Israeli Government, represent serious breeches of the fourth Geneva Convention of 1949, as well as flagrant violations of numerous Security Council and other United

Nations resolutions. They also undermine the fragile peace process and aim to prevent the reaching of a just and comprehensive peace.

The Security Council dealt with illegal Israeli actions related to Jerusalem only last July, when it issued a presidential statement (S/PRST/1998/21). It is clear, however, that Israel, the occupying Power, holds only contempt and disregard for that and for many other positions of the Council. We believe that it is highly incumbent on the Security Council to reconsider the situation and ensure that illegal Israeli actions in Jerusalem and the rest of the occupied Palestinian territory be ceased and reversed.

I should be grateful if you would arrange to have the text of the present letter distributed as a document of the General Assembly, under agenda items 39, 40 and 84, and of the Security Council.

(Signed) Nasser AL-KIDWA
Ambassador, Permanent Observer of Palestine
to the United Nations

UNITED
NATIONS

A S

General Assembly
Security Council

Distr.
GENERAL

A/53/973
S/1999/598
21 May 1999

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fifty-third session
Agenda item 62
QUESTION OF CYPRUS

SECURITY COUNCIL
Fifty-fourth year

Letter dated 20 May 1999 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a letter dated 20 May 1999, addressed to you by His Excellency Mr. Aytuğ Plûmer, Representative of the Turkish Republic of Northern Cyprus (see annex).

I should be grateful if the text of the present letter and its annex could be circulated as a document of the General Assembly, under agenda item 62, and of the Security Council.

(Signed) Volkan VURAL
Ambassador
Permanent Representative

99-15212 (E) 250599

ANNEX

Letter dated 20 May 1999 from Mr. Aytuğ Plümer
to the Secretary-General

Upon instructions from my Government, I have the honour to refer to the letters dated 30 April and 3, 7, 10 and 11 May 1999 (A/53/933-S/1999/499, A/53/934-S/1999/502, A/53/949-S/1999/532, A/53/953-S/1999/537 and A/53/956-S/1999/545, respectively), addressed to you by the Greek Cypriot representative at the United Nations, which contain allegations regarding "violations of the airspace of the Republic".

I would like to recall that similar unfounded charges on so-called "airspace violations" were rejected in toto in our previous communications addressed to you, most recently in my letter dated 15 April 1999 (A/53/914-S/1999/440, annex). I would like to reiterate that flights within the sovereign airspace and flight information region of the Turkish Republic of Northern Cyprus take place with the full knowledge and consent of the relevant authorities of the State over which the usurper regime in the South has no jurisdiction or right of say whatsoever.

The Greek Cypriot administration keeps making the above-mentioned allegations in order to divert attention from its ongoing policy of escalation on the island. Military build-up in South Cyprus has reached unprecedented levels. According to estimated military expenditures, in 1999 the Greek Cypriot administration will spend 5.8 per cent of the gross domestic product on armaments. This figure is twice as large as the average for the 15 members of the European Union (Greek Cypriot daily Fileleftheros of 9-10 May 1999).

Furthermore, it has been observed that acts of provocation by Greek Cypriot National Guard soldiers along the borders have increased sharply over recent months. At various locations, Greek Cypriot soldiers practically on a daily basis have been pointing weapons and throwing stones at Turkish Cypriot sentries, as well as directing verbal attacks and provocations. Turkish Cypriot military personnel have been monitoring the situation with calmness, patience and prudence. Our authorities have lodged necessary protests with the United Nations Peacekeeping Force in Cyprus, in the hope that immediate effective measures will be taken to stop such provocative actions by the Greek Cypriot side.

The continuing militarization campaign by the Greek Cypriot side, as well as the acts of provocation and hostility, constitute the underlying causes of tension in Cyprus. My Government expects that the international community will strongly urge the Greek Cypriot leadership to abandon its provocative policies that are not conducive to reducing tension and promoting progress towards reconciliation between the two States.

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda item 62, and of the Security Council.

(Signed) Aytuğ PLÜMER
Representative
Turkish Republic of Northern Cyprus

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1999/599
24 May 1999
ENGLISH
ORIGINAL: FRENCH

LETTER DATED 24 MAY 1999 FROM THE PERMANENT REPRESENTATIVE OF BURKINA FASO TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit to you herewith a copy of the communiqué issued by the Office of the Acting Chairman of the Organization of African Unity concerning the ceasefire agreement signed on 18 May 1999 between the Government of Sierra Leone and the Revolutionary United Front of Sierra Leone (see annex).

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Michel KAFANDO
Ambassador
Permanent Representative

Annex

Communiqué issued on 24 May 1999 by the Office of the Acting Chairman of the Organization of African Unity (OAU)

The Office of the Acting Chairman of the Organization of African Unity has followed with interest the intense efforts of the Acting Chairman of the Economic Community of West African States (ECOWAS) to establish a dialogue between the parties involved in the crisis in Sierra Leone with a view to finding a negotiated solution.

This mediation effort led to the signing on 18 May 1999 of a ceasefire agreement between the Government of Sierra Leone and the Revolutionary United Front of Sierra Leone.

The Acting Chairman of OAU welcomes this outcome and expresses his support for the signing of this agreement, which constitutes an important milestone in the peace process in Sierra Leone.

At the very moment that the negotiations under the auspices of ECOWAS are about to begin, the Acting Chairman of OAU invites all the parties to make every effort to bring their endeavours to a satisfactory conclusion.

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1999/600
24 May 1999

ORIGINAL: ENGLISH

LETTER DATED 24 MAY 1999 FROM THE PERMANENT REPRESENTATIVE OF DJIBOUTI TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to share with you my country's real apprehension about a menacing development in the Horn of Africa that may have the potential of igniting widespread regional conflict. I am referring to the widely reported as well as corroborated accounts of Eritrean weapons and personnel involvement in the anarchic and clearly explosive situation in Somalia.

We all know that despite the massive efforts by the international community to forge peace, stability and government in Somalia, that country remains today a powder keg capable of detonating again at any moment. Tensions remain high and, as usual, the implications for the weary, ordinary Somalis are grave.

In what must be seen as a cynical move to exploit these strains for its own and others' strategic advantage, Eritrea embarked on shipment of weapons and troops by sea and air through "proxy" factions into Somalia. What is even more worrying is the fact that these actions are not limited to shipment of arms or activities within Somalia only. There is incontrovertible evidence that the bulk of the troops is of non-Eritrean origin. We also understand they are being deployed in Somalia for the purpose of destabilizing neighbouring countries in general and Ethiopia in particular. Obviously, these acts constitute blatant attempts to open additional fronts in the ongoing conflict.

It is also a clear violation of Security Council resolution 733 (1992) and subsequent resolutions which called upon all Member States to "immediately implement a general and complete embargo on all deliveries of weapons and military equipment ... and to refrain from any actions which might contribute to increasing tension".

By arming selected factions in Somalia, who are further used as "proxies" for the wider political and military designs beyond Somalia, Eritrea's feverish attempts to widen the base of its conflict with Ethiopia are indeed creating unwarranted and ill-advised tensions. Djibouti condemns such unbridled pursuit of gun-diplomacy.

The Government of Djibouti, therefore, calls upon the Council to take urgent necessary measures designed to thwart Eritrea's undisguised provocative and destabilizing activities in the region, whose implications are far beyond measurement of comprehension.

I should be grateful if you would have the present letter circulated as a document of the Security Council.

(Signed) Roble OLHAYE
Ambassador
Permanent Representative

UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/1999/601
24 May 1999

ORIGINAL: ENGLISH

LETTER DATED 24 MAY 1999 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to submit to you, and through you to the members of the Security Council, the text of an exchange of letters between the Secretariat of the United Nations and the Permanent Mission of Iraq to the United Nations extending, in the light of Security Council resolution 1242 (1999) of 21 May 1999, the Memorandum of Understanding of 20 May 1996 concerning the implementation of Security Council resolution 986 (1995) for a period of 180 days, effective 25 May 1999.

(Signed) Kofi A. ANNAN

99-15335 (E) 240599

/...

Letter dated 24 May 1999 from the Assistant Secretary-General for Legal Affairs in charge of the Office of Legal Affairs addressed to the Chargé d'affaires a.i. of the Permanent Mission of Iraq to the United Nations

I have the honour to refer to resolution 1242 (1999), adopted by the Security Council on 21 May 1999, by which the Council decided that the relevant provisions of resolution 986 (1995) will remain in force for a new period of 180 days beginning at 00.01 hours, Eastern Standard Time, on 25 May 1999. I should also like to refer to an exchange of letters between the Secretariat of the United Nations and the Permanent Mission of Iraq to the United Nations dated 25 November 1998 extending, in the light of Security Council resolution 1210 (1998) of 24 November 1998, the Memorandum of Understanding of 20 May 1996 between the Secretariat of the United Nations and the Government of Iraq on the implementation of Security Council resolution 986 (1995) for a period of 180 days, effective 26 November 1998.

In view of the foregoing, I have the honour to propose that the provisions of the Memorandum of Understanding of 20 May 1996 be extended for an additional period of 180 days, effective 25 May 1999.

It is understood that the distribution plans which have already been approved but have not yet been implemented shall continue to apply for goods purchased with oil revenues generated under the respective Security Council resolutions.

If your Government agrees to this proposal, I suggest that this letter, and your reply thereto, shall constitute an agreement between the Secretariat of the United Nations and the Government of Iraq.

(Signed) Ralph ZACKLIN
Assistant Secretary-General
for Legal Affairs
in charge of the Office of Legal Affairs

Letter dated 24 May 1999 from the Chargé d'affaires a.i. of the Permanent Mission of Iraq to the United Nations addressed to the Assistant Secretary-General for Legal Affairs in charge of the Office of Legal Affairs

I have the honour to inform you that the Government of Iraq agrees to the proposal contained in your letter of 24 May 1999 for the extension of the provisions of the Memorandum of Understanding of 20 May 1996 for an additional period of 180 days, effective 25 May 1999.

(Signed) Rokan N. Hama AL-ANBUGE
Chargé d'affaires a.i.

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1999/602
25 May 1999
ENGLISH
ORIGINAL: FRENCH

LETTER DATED 21 MAY 1999 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I refer to my report of 5 May 1999 on the question of East Timor (S/1999/513) and to Security Council resolution 1236 (1999) of 7 May 1999, by which the Council inter alia, welcomed the Agreements concluded by Indonesia, Portugal and the United Nations on the question and my intention to establish as soon as practicable a United Nations presence in East Timor with a view to assisting in the implementation of these Agreements.

Preparations for establishing a United Nations Mission in East Timor (UNAMET) have begun in earnest. In this connection, I should like to inform the Security Council that, following the necessary consultations, I have decided to appoint Mr. Ian Martin (United Kingdom) as my Special Representative for the East Timor Popular Consultation. Mr. Martin will take up his post towards the end of this month. Mr. Martin brings with him wide-ranging experience in difficult United Nations field operations, which will be of the utmost relevance to the task at hand.

I should be grateful if you could bring this letter to the attention of the members of the Security Council.

(Signed) Kofi A. ANNAN

99-15453 (E) 250599 250599

UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/1999/603
25 May 1999
ENGLISH
ORIGINAL: FRENCH

LETTER DATED 25 MAY 1999 FROM THE PRESIDENT OF THE SECURITY COUNCIL ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to inform you that your letter dated 21 May 1999 (S/1999/602) concerning your decision to appoint Mr. Ian Martin (United Kingdom) as your Special Representative for the East Timor Popular Consultation has been brought to the attention of the members of the Council. They have taken note of the decision.

(Signed) Denis DANGUE RÉWAKA
President of the Security Council

99-15459 (E) 250599 250599

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1999/604
25 May 1999

ORIGINAL: ENGLISH

LETTER DATED 25 MAY 1999 FROM THE CHARGÉ D'AFFAIRES A.I. OF THE PERMANENT MISSION OF YUGOSLAVIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have been instructed by my Government to inform you that the air force of the North Atlantic Treaty Organization (NATO) has embarked upon a systematic destruction of the power grid of the Federal Republic of Yugoslavia. Either by missiles or cluster bombs with carbon filaments that damage wires conducting electricity, NATO planes destroy or render inoperable power plants, transformer stations and transmission lines, causing power outages all over the country.

By its action, NATO has brought about a humanitarian catastrophe of unseen proportions, denying the entire population of the Federal Republic of Yugoslavia food, water and drugs and depriving its industry of power sources. The advent of warm weather increases the risk of infectious diseases, even of epidemics.

The Security Council is duty-bound to condemn this action of NATO, which constitutes a flagrant violation of the Geneva conventions and international law and to use its authority to stop the NATO aggression against the Federal Republic of Yugoslavia in order to prevent the disaster threatening the existence of all of its 11 million citizens.

I should be very grateful if you would have the present letter circulated as a document of the Security Council.

(Signed) Vladislav JOVANOVIC
Chargé d'affaires a.i.

99-15469 (E) 250599

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1999/605
25 May 1999

ORIGINAL: ENGLISH

LETTER DATED 25 MAY 1999 FROM THE CHARGÉ D'AFFAIRES A.I. OF THE PERMANENT MISSION OF YUGOSLAVIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have been instructed by my Government to inform you that, since the beginning of the aggression of the North Atlantic Treaty Organization (NATO) against the Federal Republic of Yugoslavia, the Republic of Albania has stepped up provocations against the border of the Federal Republic of Yugoslavia and the border units of the Army of Yugoslavia. This is being manifested by frequent armed incidents and attempts to infiltrate arms and military equipment, as well as terrorist groups varying in size, into the Federal Republic of Yugoslavia.

Sponsored by NATO, Albania recruits terrorists among Albanians brought over from various parts of the world and arms, trains and infiltrates them in Yugoslavia. Last week, these activities became massive in scope, amounting to an open act of aggression evinced by the following examples:

(1) On 17 May 1999 at 2.30 p.m., Albanian terrorist forces, strengthened by parts of the units of the armed forces of the Republic of Albania and supported by NATO planes, carried out an attack against Yugoslavia in the area of the Junik Mountains; and

(2) On the same day, at 3 p.m., following a regrouping, Albanian terrorist forces, supported by the artillery and 12 tanks of the armed forces of the Republic of Albania and NATO planes, carried out an attack against the positions of the Army of Yugoslavia at the part of the border between the Junik Mountains and the Cafa Prusit pass.

I should be very grateful if you would have the present letter circulated as a document of the Security Council.

(Signed) Vladislav JOVANOVIC
Chargé d'affaires a.i.

99-15475 (E) 250599

UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/1999/606
25 May 1999
ENGLISH
ORIGINAL: FRENCH

LETTER DATED 25 MAY 1999 FROM THE PERMANENT REPRESENTATIVE OF CAPE VERDE TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

At the request of my Government, I have the honour to transmit to you herewith a copy of the communiqué published on 18 May 1999 by the States members of the Community of Portuguese-Speaking Countries of which Cape Verde is currently chairman.

I should be grateful if you would have the text of said document circulated as a document of the Security Council.

(Signed) José Luis MONTEIRO
Ambassador

99-15481 (E) 250599 250599

/...

Annex

[Original: Portuguese]

Communiqué of the Member States of the Community of Portuguese-Speaking Countries, issued at Lisbon on 18 May 1999

The member States of the Community of Portuguese-Speaking Countries (CPLP) have followed with particular concern the recent events in the Republic of Guinea-Bissau that resulted in many casualties and substantial destruction of infrastructure and property, a state of affairs which they deeply regret. They reaffirm their fraternal solidarity with the people of Guinea-Bissau.

They take note of the commitments undertaken publicly by the interim President of the Republic, the Military Junta and the Government of National Unity, according to which they pledged to fully respect democracy, human rights and the rule of law, which are guiding principles of CPLP, and they encourage them to further the implementation of concrete measures towards the fulfilment of those commitments.

They underline in this context the importance of holding of free and fair legislative and presidential elections, which are scheduled to take place on 28 November 1999, with a view to re-establishing normal institutional life.

They call upon the people, the State organs, the Military Junta and the political parties of Guinea-Bissau to continue to show magnanimity, guaranteeing the physical integrity of those who have surrendered and granting them dignified and fair treatment, in accordance with the existing law and the spirit of national reconciliation. In this context, they take note that the Portuguese Government has granted political asylum to General João Bernardo Vieira, in accordance with the norms and principles of international law.

They reiterate the willingness of CPLP to continue to support national reconciliation, the strengthening of democracy and the reconstruction of Guinea-Bissau, and call upon the international community to keep its commitment to support the programme presented by the Government of National Unity during the emergency round table recently held in Geneva.

They express their appreciation for the efforts undertaken by the Economic Community of West African States (ECOWAS) in pursuit of common goals in the framework of the peace process in Guinea-Bissau.

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1999/607
25 May 1999

ORIGINAL: ENGLISH

LETTER DATED 25 MAY 1999 FROM THE PERMANENT REPRESENTATIVE OF INDIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

On the night of 20 May, the residence of the Indian Ambassador in Belgrade was damaged in one of the many "surgical strikes" carried out round the clock by the North Atlantic Treaty Organization (NATO)on the Federal Republic of Yugoslavia. It was entirely a matter of good luck that there was no loss of life. It is unacceptable that diplomatic property and lives should continue to be put at risk in a war whose targets are increasingly indiscriminate and which is carried out without the authority of the Security Council.

The fact remains that NATO's bombing of the Federal Republic of Yugoslavia, for quite some time now not limited to military targets, violates the Charter of the United Nations. It has also made infinitely worse the plight of the residents of Kosovo, on whose behalf it decided to bomb other Yugoslavs. It has devastated the lives and the means of livelihood of the entire population of the country. It has already added lives in a diplomatic mission to the number, as yet not tallied, of innocent Yugoslavs who have been killed in the air raids, and if the bombing continues, these tragedies will multiply.

We believe that there can be no military solution to this problem. We once again urge NATO to immediately end its bombing, and turn to a peaceful, negotiated settlement which respects the sovereignty, unity and territorial integrity of the Federal Republic of Yugoslavia, and guarantees peace and security for all its citizens.

We have lodged a protest with NATO in Brussels, and our official spokesman has issued a statement in New Delhi, which I attach.

I request the present letter and its annex by circulated as a document of the Security Council.

(Signed) Kamalesh SHARMA

Annex

Statement made by the official spokesman of the Government of India at New Delhi on 22 May 1999

The Government of India is gravely concerned over the incident that took place at around 2020 hours in the night of 20 May 1999, involving damage to the residence of Ambassador of India in Belgrade, as an immediate and direct result of aerial bombing by NATO forces against targets close to the Ambassador's residence. We have conveyed our serious concern to the NATO Headquarters in Brussels, in a strong protest lodged with them. We expect an appropriate response from NATO.

2. India's position on the continuing hostilities is well known and has been made clear through its statements of 24 March, 25 March and 11 May 1999. The continuing NATO action against the Federal Republic of Yugoslavia is ultra vires of the Charter of the United Nations and contrary to international law. We would like to recall that the recurrence of seriously untoward incidents confirm once again that there is something fundamentally wrong in NATO's approach to the situation in the Federal Republic of Yugoslavia. In keeping with the sentiment of a large part of the international community, we would once again reiterate the imperative need for an immediate end to NATO's military operations and a dialogue between the parties involved towards a negotiated political solution to the conflict.

3. This incident comes in the wake of similar incidents involving physical and material damage affecting the embassies of other countries in Belgrade. It is particularly alarming that this has happened despite the addresses of the Chancery and residential premises of the Indian Embassy having been provided to the United States Government on the request of the latter, soon after the bombing of the Chinese Embassy in Belgrade. There is naturally an apprehension that NATO's continued aerial bombing of Belgrade could lead to further incidents of this nature which might be even more serious. The Government's consistent view is that any damage to diplomatic premises or personnel through such occurrences, intended or otherwise, has to be firmly condemned.

4. The Government is in close and constant touch with our Embassy in Belgrade. All the personnel in the Mission are safe and the Embassy is carrying out its functions. The Government has taken all action necessary to ensure the safety and welfare of the Embassy personnel and their families. In this connection, a senior official of the Ministry of External Affairs visited Belgrade from 17 to 19 May and met the officials of the Embassy and their families to enquire about their welfare, as well as to update the steps required for their safety and for the proper functioning of the Embassy and the security of the premises.

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1999/607*
27 May 1999

ORIGINAL: ENGLISH

LETTER DATED 25 MAY 1999 FROM THE PERMANENT REPRESENTATIVE OF INDIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

On the night of 20 May, the residence of the Indian Ambassador in Belgrade was damaged in one of the many "surgical strikes" carried out round the clock by the North Atlantic Treaty Organization (NATO)on the Federal Republic of Yugoslavia. It was entirely a matter of good luck that there was no loss of life. It is unacceptable that diplomatic property and lives should continue to be put at risk in a war whose targets are increasingly indiscriminate and which is carried out without the authority of the Security Council.

The fact remains that NATO's bombing of the Federal Republic of Yugoslavia, for quite some time now not limited to military targets, violates the Charter of the United Nations. It has also made infinitely worse the plight of the residents of Kosovo, on whose behalf it decided to bomb other Yugoslavs. It has devastated the lives and the means of livelihood of the entire population of the country. It has already added lives in a diplomatic mission to the number, as yet not tallied, of innocent Yugoslavs who have been killed in the air raids, and if the bombing continues, these tragedies will multiply.

We believe that there can be no military solution to this problem. We once again urge NATO to immediately end its bombing, and turn to a peaceful, negotiated settlement which respects the sovereignty, unity and territorial integrity of the Federal Republic of Yugoslavia, and guarantees peace and security for all its citizens.

We have lodged a protest with NATO in Brussels, and our official spokesman has issued a statement in New Delhi, which I attach.

I request that this letter and its enclosure be circulated as a document of the Security Council.

(Signed) Kamalesh SHARMA

---

* Reissued for technical reasons

Annex

Statement made by the official spokesman of the Government of India at New Delhi on 22 May 1999

The Government of India is gravely concerned over the incident that took place at around 2020 hours in the night of 20 May 1999, involving damage to the residence of Ambassador of India in Belgrade, as an immediate and direct result of aerial bombing by NATO forces against targets close to the Ambassador's residence. We have conveyed our serious concern to the NATO Headquarters in Brussels, in a strong protest lodged with them. We expect an appropriate response from NATO.

2. India's position on the continuing hostilities is well known and has been made clear through its statements of 24 March, 25 March and 11 May 1999. The continuing NATO action against the Federal Republic of Yugoslavia is ultra vires of the Charter of the United Nations and contrary to international law. We would like to recall that the recurrence of seriously untoward incidents confirm once again that there is something fundamentally wrong in NATO's approach to the situation in the Federal Republic of Yugoslavia. In keeping with the sentiment of a large part of the international community, we would once again reiterate the imperative need for an immediate end to NATO's military operations and a dialogue between the parties involved towards a negotiated political solution to the conflict.

3. This incident comes in the wake of similar incidents involving physical and material damage affecting the embassies of other countries in Belgrade. It is particularly alarming that this has happened despite the addresses of the Chancery and residential premises of the Indian Embassy having been provided to the United States Government on the request of the latter, soon after the bombing of the Chinese Embassy in Belgrade. There is naturally an apprehension that NATO's continued aerial bombing of Belgrade could lead to further incidents of this nature which might be even more serious. The Government's consistent view is that any damage to diplomatic premises or personnel through such occurrences, intended or otherwise, has to be firmly condemned.

4. The Government is in close and constant touch with our Embassy in Belgrade. All the personnel in the Mission are safe and the Embassy is carrying out its functions. The Government has taken all action necessary to ensure the safety and welfare of the Embassy personnel and their families. In this connection, a senior official of the Ministry of External Affairs visited Belgrade from 17 to 19 May and met the officials of the Embassy and their families to enquire about their welfare, as well as to update the steps required for their safety and for the proper functioning of the Embassy and the security of the premises.

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1999/608
26 May 1999
ENGLISH
ORIGINAL: ARABIC

IDENTICAL LETTERS DATED 24 MAY 1999 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL AND TO THE PRESIDENT OF THE SECURITY COUNCIL

On instructions from my Government, I have to inform you that violations of Iraq's airspace by United States and British aircraft based in Saudi Arabia, Kuwait and Turkey continued between 16 and 22 May 1999 and that the aircraft in question engaged in acts of aggression, reconnaissance activities and acts of provocation, as set forth in the annex hereto.

You are requested to intervene with the United States, the United Kingdom and the countries that provide the facilities for these acts of aggression, namely Saudi Arabia, Kuwait and Turkey, with a view to bringing a halt to actions that, as flagrant violations of the Charter of the United Nations and of international law, pose a threat to the sovereignty and territorial integrity of Iraq.

These actions are continuing to bring death and injury to hundreds of civilians and to cause serious damage to private and public property. The logistic support that Saudi Arabia and Kuwait provide to the United States and British forces makes them key partners in the aggression being committed against Iraq, so that they share international responsibility for the consequences of these actions. The Republic of Iraq affirms its right to seek lawful compensation for the damage being inflicted on its people by these same actions.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Rokan Hama AL-ANBUGE
Chargé d'affaires a.i.

99-15560 (E) 260599 260599

/...

Annex

Violations by United States and British aircraft and damage caused, 16-22 May 1999

1. In the northern region 43 sorties were flown at speeds of 720 to 780 kilometres per hour and at altitudes of 7,000 to 11,000 metres over the following cities and towns: Dohuk, Mosul, Amadiyah, Aqrah, Tall Afar, Irbil, Zakho, Baibo, Ba'shiqah, Tall Kayf and Rawanduz.

2. In the southern region 344 sorties were flown at speeds of 720 to 780 kilometres per hour and at altitudes of 7,000 to 11,000 metres over the following Iraqi cities and towns: Nasiriyah, Samawah, Basrah, Amarah, Artawi, Jalibah, Salman, Busayyah, Lasaf, Qurnah, Umm Qasr, Bathah, Afak, Qal'at Salih, Qal'at Sukkar, Najaf, Rifa'i, Ushbayjah, Nu'maniyah, Shinafiyah, Chabaish, Qadisiyah, Ali al-Sharqi and Hayy.

3. At 1155 and 1222 hours on 14 May 1999 United States and British aircraft violated Iraq's airspace in the Umm Qasr area.

4. At 1532 hours on 15 May 1999 United States and British aircraft violated Iraq's airspace in the Umm Qasr area.

5. At 1030 hours on 16 May 1999 United States and British F-14, F-15 and F-16 aircraft coming from Turkish territory and supported by an AWACS aircraft from inside Turkish airspace penetrated Iraq's airspace in the northern region. They carried out 24 sorties and overflew the Irbil, Dohuk, Baibo, Aqrah, Tall Afar, Amadiyah, Mosul and Rawanduz areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1350 hours, drove them off.

6. At 1030 hours on 17 May 1999 United States and British F-14 and F-15 aircraft coming from Turkish territory and supported by an AWACS early-warning aircraft from inside Turkish airspace penetrated Iraq's airspace in the northern region. They carried out 19 sorties and overflew the Irbil, Dohuk, Aqrah, Tall Afar, Amadiyah, Mosul and Zakho areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1345 hours, drove them off.

7. At 1636 hours on 17 May 1999 United States and British F-14, F-15, F-16, F-18 and Tornado aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. They carried out 48 sorties, 18 from Saudi airspace and 30 from Kuwaiti airspace, were supported by one AWACS and one E-2C command and control aircraft from inside Saudi and Kuwaiti territory and overflew the Najaf, Basrah, Nasiriyah, Afak, Nu'maniyah, Jalibah, Busayyah and Artawi areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1712 hours, drove them off.

8. At 1400 hours on 18 May 1999 United States and British F-14, F-15, F-16, F-18, Tornado and EA-6B aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. They carried out 117 sorties, 71 from Saudi airspace and 46 from Kuwaiti airspace, were supported by one AWACS and one E-2C command and control aircraft from inside Saudi and

Kuwaiti territory and overflew the Amarah, Basrah, Nasiriyah, Salman, Qurnah, Jalibah, Qal'at Salih, Shatrah, Samawah, Shinafiyah, Artawi, Chabaish, Qal'at Sukkar and Afak areas. Our air defences, acting in self-defence, engaged the aircraft and, at 2130 hours, drove them off.

9. At 1457 hours on 19 May 1999 United States and British F-14, F-15, F-16 and F-18 aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. They carried out 79 sorties, 47 from Saudi airspace and 32 from Kuwaiti airspace, were supported by one AWACS and one E-2C command and control aircraft from inside Saudi and Kuwaiti territory and overflew the Amarah, Basrah, Nasiriyah, Qal'at Salih, Samawah, Artawi, Chabaish, Ushbayjah, Rifa'i, Busayyah, Salman and Afak areas. Our air defences, acting in self-defence, engaged the aircraft and, at 2300 hours, drove them off.

10. At 1035 hours on 22 May 1999 United States and British F-14, F-15, F-16, F-18, Tornado and EA-6B aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. They carried out 100 sorties, 70 from Saudi airspace and 30 from Kuwaiti airspace, were supported by one AWACS and one E-2C command and control aircraft from inside Saudi and Kuwaiti territory and overflew the Amarah, Basrah, Nasiriyah, Qadisiyah, Busayyah, Jalibah, Lasaf, Qal'at Sukkar, Hayy, Artawi, Salman, Qal'at Salih, Ali al-Sharqi, Shatrah and Bathah areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1815 hours, drove them off.

UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/1999/609
27 May 1999

ORIGINAL: ENGLISH

Draft resolution

The Security Council,

Having considered the report of the Secretary-General on the United Nations Disengagement Observer Force of 18 May 1999 (S/1999/575),

Decides:

(a) To call upon the parties concerned to implement immediately its resolution 338 (1973) of 22 October 1973;

(b) To renew the mandate of the United Nations Disengagement Observer Force for another period of six months, that is, until 30 November 1999;

(c) To request the Secretary-General to submit, at the end of this period, a report on the development in the situation and the measures taken to implement Security Council resolution 338 (1973).

99-15710 (E) 270599